

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

ABELSON & TRUESDALE, LLC
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In Re:
ANA VARGAS



Order Filed on November 13, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 18-26512
Hearing Date: 11/7/2018
Chapter: 13
Judge: CMG

**ORDER AUTHORIZING
SALE OF REAL PROPERTY**

Recommended Local Form: ☒ Followed ☐ Modified

The relief set forth on the following pages numbered two (2) and three (3) is
ORDERED.

DATED: November 13, 2018

A handwritten signature in black ink, appearing to read "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

After review of the Debtor's motion for authorization to sell the real property commonly known as _____ 111 Burnham Drive, Fords _____, New Jersey (the Real Property).

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and/or debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name of professional: Michelle Marquez and Bruce C. Truesdale, Esq.

Amount to be paid: 5% of sale price and \$1050 to Bruce C. Truesdale, Esq.

Services rendered: Real estate broker services and attorney real estate closing services

OR: ☐ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$ 23,675.00 claimed as exempt may be paid to the Debtor.
6. The ☒ *balance of proceeds* or the ☐ *balance due on the debtor's Chapter 13 Plan* must be paid to the Chapter 13 Trustee in the Debtor's case.
7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days after closing.
8. ☐ The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.
9. Other provisions:

The secured lien of Wells Fargo Bank, N.A. shall be paid in full at closing pursuant to a valid payoff, requested by the Debtor and provided by the Secured Creditor prior to the closing date.

Wells Fargo Bank, N.A. shall receive the full payoff, as determined by a current payoff statement, within 48 hours of closing and that the Payoff Statement cannot be expired at the time of closing.

Wells Fargo Bank, N.A. requires that any proposed short sale be first approved by Wells Fargo and if such a sale will be taking place after the imposed deadline as outlined by the Secured Creditor, a new approval will be required prior to the sale.

rev.8/1/15